



September 19, 2008

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VIA E-MAIL ATTACHMENT

Stephen S. Smith
1900 Avenue of the Stars, 21st Floor
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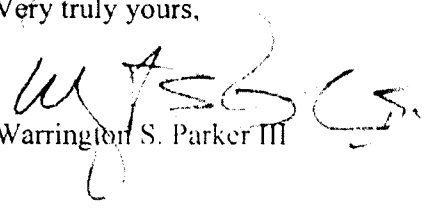
Re: Facebook v. StudiVZ

Dear Mr. Smith:

I write in response to your letter of September 18, 2008. Facebook will not agree to remove from calendar the motion for expedited discovery. Frankly, at this point, it seems certain that your clients will file motions to dismiss for lack of personal jurisdiction. Our belief is that you can agree to discovery and that we can begin now to meet and confer about its scope.

Facebook would like to set a status conference before Judge Fogel within the next two weeks in order to schedule and coordinate upcoming events. Please let me know if there are any days on which you are not available.

Very truly yours,


Warrington S. Parker III